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In the paper dated 26.Oct.2010, the Examiner had indicated the claims 1 – 59 were pending in the application and a subset of the claims, namely claims 13 – 18, 20 – 27 and 44-47 were subject to a restriction requirement, and/or an election of species requirement. The following division of separate “species” of the invention was proposed and further alleged that the depicted species failed to satisfy the “unity of invention” requirement thus justifying the Examiner’s requirement.

Claims 13-18, reciting certain species of “insecticides”;

Claims 20-27, reciting certain species of “attractant”; and,

Claims 44-47, resetting certain species of an “application method”.

The applicant respectfully TRAVERSES the Examiner’s division of the claimed invention into the separate species indicated above.

First, it is the applicant's view that a search of claim one, which had not been indicated as being subject to an election species requirement and/or a restriction requirement would be ample to provide a reasonable basis for a full search of all of the claims in the application. The applicant note that claims 13-18 are all dependent either directly or indirectly from claim 1. Similarly, the applicant notes that claims 20-27 are all dependent either directly or indirectly from claim 1. Further, the applicant notes that claims 44-47 are similarly all dependent either directly or indirectly from claim 1. As their view, the subject matter of each of the three divided species, which all dependent from a common independent claim (claim 1) are sufficiently technically proximate such that a concurrent search and examination may be undertaken on all of the claims thus permitting for a meaningful search without imparting any additional or undue burden upon the Examiner.

Second, it is the applicant's view that any search of even a single species of one or more of the “insecticides” of claims 13 – 18; of one or more of the “attractant” of claims 20 –

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27; or of one or more of the "application method" of claims 44 – 47, would necessarily folds in the ambit of independent claim 1, and that any appropriate search of the subject matter of claim 1 should necessarily income pass those of claims 13 – 18, 20 – 27 and 44-47 without requiring further restriction of the claims.

It is believed that the Examiner's Restriction Requirement/Election of Species Requirement should be properly withdrawn. Alternately, if the Restriction Requirement / Election of Species Requirement is not withdrawn, the applicant provisionally elects the following species:

- as "insecticide", chlorpyrifos
- as "attractant", honey
- as "application method", 'drawing the stick along the hard surface'

As to claims which would be readable upon those provisionally elected, the applicant proposes that claims: 1 – 15, 19-21, 23, 27 - 45, 48 – 59 should be examined as being consistent with the provisionally elected species.

Should the Examiner in charge of this application believe that telephonic communication with the undersigned would meaningfully advance the prosecution of this application, they are invited to call the undersigned at their earliest convenience.

The early issuance of a *Notice of Allowability* is solicited.

Should the Examiner in charge of this application believe that telephonic communication with the undersigned representative would meaningfully advance the prosecution of this application towards allowance, the Examiner is invited to contact the undersigned at their earliest convenience.

PETITION FOR A ONE-MONTH EXTENSION OF TIME

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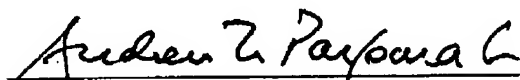
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The applicant respectfully petitions for a one-month extension of time in order to permit for the timely entry of this response. The Commissioner is hereby authorized to charge the fee to Deposit Account No. 14-1263 with respect to this Petition.

CONDITIONAL AUTHORIZATION FOR FEES

Should any further fee be required by the Commissioner in order to permit the timely entry of this paper, the Commissioner is authorized to charge any such fee to Deposit Account No. 14-1263.

Respectfully Submitted;




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01. Dec. 2010
Date:

CERTIFICATION OF TELEFAX TRANSMISSION:

I hereby certify that this paper and any indicated enclosures thereto is being telefax transmitted to the US Patent and Trademark Office to telefax number: 571-273-8300 on the date shown below:


Andrew N. Parfomak

01. Dec. 2010
Date

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